

CLOSED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CHINA SHIPPING
(NORTH AMERICA)
AGENCY CO., INC.

:

v.

SOUTHWEST FREIGHT
DISTRIBUTORS, INC

Order of Dismissal
Civil No 07-4656
(SRC)

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It having been reported to the Court that the above-captioned action has been settled, and that the request for an order of dismissal is not based on a desire to adjourn or delay the proceedings herein;

IT IS on this 28TH DAY OF January, 2009

ORDERED THAT:

(1) This action is hereby DISMISSED without cost and **without prejudice** to the right, upon motion and good cause shown, within 60 days, to reopen this action if the settlement is not consummated; and

(2) If any party shall move to set aside this Order of Dismissal as provided in the first paragraph or pursuant to the provisions of Fed. R. Civ. P. 60(b), in deciding such motion the Court retains jurisdiction of the matter to the extent necessary to enforce the terms and conditions of any settlement entered into between the parties.

(3) The shall retain jurisdiction of this matter beyond the 60 day settlement if not

consumated.

s/Stanley R. Chesler, U. S. D. J.